

REMARKS

This responds to the Office Action mailed on September 19, 2007.

Claims 1, 2, 16, 17, 22, and 23 are amended, claim 3 is canceled; as a result, claims 1-2 and 4-31 are now pending in this application.

Claim Objections

Claim 22 was objected to for informalities. Claim 22 was amended in the manner suggested by the Examiner. Applicant respectfully requests withdrawal of the objection and allowance of claim 22.

§102 Rejection of the Claims

Claims 1-6, 9-12, 14-17, 23, 24 and 28-31 were rejected under 35 U.S.C. § 102(e) for anticipation by Belknap (US 6,763,377). Applicant respectfully traverses. Claims 1, 2, 16, 17, 22, and 23 have been amended to more clearly describe the recited subject matter. The Office Action fails to establish a proper *prima facie* case of anticipation because Belknap does not teach some of the elements presently recited in the claims.

Applicant cannot find in Belknap, among other things,
each video file server being configured to push video content from a selected video file in the video file server to a selected media server based on the playlist, wherein each video file server includes a virtual display driver, that appears to be a video display to the video file server, to translate video content into application independent video content, thereby not requiring the media server to decode pushed video content,

as presently recited in claim 1 and incorporated into claims 2-6, 9-12, 14-15, and similarly recited in claim 16 and incorporated into claim 17. Nor can applicant find a method including
executing a playlist, wherein executing includes accepting application specific video content associated with a video file of the playlist and translating the video content to application independent video content, and pushing the video content to a third network location according to the playlist,

as presently recited in claim 13 and incorporated into claim 24 and 28-31.

The Office Action reads the media server of the present application onto the end user terminal 14 of Belknap.¹ Belknap states that the end user terminal 14 includes a decoder for decoding the format or natively understands the encoding format.² Therefore, Belknap does not disclose the virtual display driver recited in claim 1.

Applicant respectfully requests reconsideration and allowance of claims 1-6, 9-12, 14-17, 23, 24 and 28-31. For brevity, Applicant defers but reserves the right to present further remarks, such as concerning the dependent claims, which are believed separately patentable based upon their additional language.

§103 Rejection of the Claims

1. Claims 7, 8, 18 and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Belknap (US 6,763,377) in view of Duso (US 5,892,915). Applicant respectfully traverses.

Claims 7 and 8 ultimately depend on base claim 1, claim 18 depends on base claim 16, and claims 25-27 ultimately depend on base claim 23. The Office Action fails to establish a proper *prima facie* case of obviousness because, for example,

a video file server being configured to push video content from a selected video file in the video file server to a selected media server based on the playlist, wherein each video file server includes a virtual display driver, that appears to be a video display to the video file server, to translate video content into application independent video content not requiring the media server to decode pushed video content,

as incorporated into claims 7 and 8 from base claim 1, and similar claim elements incorporated into claims 18 and 25-27 from claims 16 and 23 respectively, is not shown in any of the cited references.

Additionally, in regard to claim 25, applicant cannot find in the cited portions of Duso, “video files being stored in at least one second network location, and from the second network location, executing a playlist,” as incorporated into claim 25 from claim 23, and “wherein executing logic actions includes the second location receiving external inputs that are mapped into application specific commands,” as recited in claim 25. In Duso, FIG. 28 shows a control server 28, a client 54, a cached disk array, and a stream server 21. Duso refers to the controller

¹ Office Action, pg. 3.

² Belknap, col. 10 lines 30-42.

server processing recording commands from a client.³ Thus, in Duso the location where the files are stored does not receive external inputs that are mapped into application specific commands, and the proposed combination of Duso with Belknap does not describe the structure recited in the present claims.

Further, one of ordinary skill in the art would not reasonably be led to combine Belknap with Duso. Belknap refers to a multicast feature that allows a single audio or video stream to be sent to multiple clients.⁴ Duso states that for multi-media data transfer, the active one of the controller servers 28,29 assigns one of the stream servers 21 to the network client requesting multi-media service.⁵ The client edits the playlist and at any time while the video session is playing, edit commands may be issued.⁶ Thus, the client editing in Duso would frustrate the centralized multicasting of Belknap.

In sum, the Office Action fails to establish a *prima facie* case of obviousness at least for the reasons that some of the elements recited or incorporated into the claims are not found in the proposed combination of Belknap and Duso, and that one of ordinary skill would not be led to combine Belknap with Duso. Applicant respectfully requests reconsideration and allowance of claims 7, 8, 18 and 25-27.

2. Claims 13, 19 and 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Belknap in view of Duso, and further in view of Mason (US 6,587,849). Applicant respectfully traverses.

Claim 13 ultimately depends on base claim 1, claims 19 and 20-22 ultimately depend on base claim 16. The Office Action fails to establish a proper *prima facie* case of obviousness because, for example,

a video file server being configured to push video content from a selected video file in the video file server to a selected media server based on the playlist, wherein each video file server includes a virtual display driver, that appears to be a video display to the video file server, to translate video content into application independent video content, thereby not requiring the media server to decode pushed video content,

³ Duso, col. 33 line 64 – col. 34 line 4.

⁴ Belknap, col. 2 lines 6-10.

⁵ Duso, col. 6 lines 46-48.

⁶ Duso, col. 2 line 65 – col. 3 line 4.

as incorporated into claim 13 from base claim 1, and similar claim elements incorporated into claims 19 and 20-22 from claim 16, is not shown in any of the cited references.

Applicant respectfully requests withdrawal of the rejection and allowance of claims 13, 19 and 20-22.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2172 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2172

Date Jan. 8, 2008

By Paul J. Urbanski
Paul J. Urbanski
Reg. No. 58,351

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8 day of January 2008.

CANDIS BUENDING

Name

Candis Buending
Signature